

REMARKS

The application as amended contains Claims 10, 11, 13, 14 and 16-28. Consideration of these claims is respectfully solicited.

Summary of Amendments

To summarize the amendments made to the application in this amendment, the specification at paragraph [0043] has been amended to change "programmable controller" to "controller". Similarly, Claims 10, 26 and 27 have been amended to change "programmable controller" to "controller". These amendments are for the purpose of rendering the Examiner's "new matter" rejection moot. Claim 11 has been amended to make the claim more clearly distinguish the Examiner's rejection based on the combination of the Nishida and Kamiguchi patents.

**Claim Rejections based on
35 USC 112 (first paragraph)**

Claims 10, 13-14, 17-18 and 26-28 have been rejected on the grounds that they contain a reference to a "programmable controller" which the Examiner asserts is "new matter". The word "programmable" has been removed from Claims 10, 26 and 27 to render the Examiner's new matter rejection of these claims moot.

**Claim Rejections based on
35 USC 103 for Claims 10, 13-14, 17-18 and 26-28**

Claims 10, 13-14, 17-18 and 26-28 have been rejected based on the combination of teachings in the Nishida et al and Kamiguchi et al patents.

More specifically, the Nishida et al reference discloses an injection molding machine that forms both a male and a female part in the same molding step. A die slide is used to bring the male part to the female part so that the male and female parts can then be molded together. These molded parts

are not sequentially assembled together by plugging-in (as Applicant claims). More specifically, Claim 10, as amended, recites the features:

an injection molding die for producing the injection molded parts ...

a controller ... to ... control the first mold ejector to eject a first one of the injection molded parts from the first cavity and insert the first one of the injection molded parts into the assembly holder ... control the second mold half to move into the closed position for the injection mold die to produce additional injection molded parts ... control the second mold ejector to eject the second one of the injection molded parts from the second cavity and insert the second one of the injection molded parts into the assembly holder and **plug the second one of the injection molded parts into the first one of the injection molded parts.**

This combination of features is not taught or suggested by the prior art. Specifically, the Nishida et al reference does not teach both a structure that injection molds and a structure that plugs one part into another part. Nishida et al assembles parts to one another by molding them together, not by plugging them into another. A structure that only molds parts together does not suggest use of a structure that plugs parts into one another. It is noted that the Examiner's Advisory Action dated October 17, 2006 does not address this issue.

Since the Nishida et al reference does not teach or suggest the combination of molding structure and plugging in structure, the prior art does not establish a prima facie case of obviousness with respect to Claims 10, 13, 14, 17, 18 and 26-28.

**Claim Rejections based on
35 USC 103 for Claims 11, 16 and 19-25**

Claim 11, 16 and 19-25 all contain the following features:

an assembly platform separate from said molding die and having assembly holders for holding the injection molded parts following the production thereof ... and ... wherein the assembly platform is changeable in its delivery position relative to the injection molding die in such a manner that, for each of successive injection cycles, the assembly holders are delivered in a changed position relative to positions in the injection molding die for the injection molded parts and hold the injection molded parts respectively following in an assembly sequence at positions at which injection molded parts of at least one preceding assembly step are already positioned for insertion and plugging-in of the injection molded parts into the assembly holders.

The mold dies 10, 30 of the Nishida et al reference assemble together injection molded parts W_L , W_U from the same assembly step, not a part from a current assembly step and a part from a preceding assembly step. The Examiner arguably previously interpreted one of the mold dies 30 of Nishida et al as reading on the claimed assembly platform. However, Claim 11 now states that the assembly platform is separate from the mold die. Furthermore, Applicant's claimed feature of holding an injection molded part respectively following in an assembly sequence at a position at which an injection molded part of at least one preceding assembly step is already positioned is not possible in Nishida et al when the mold dies are to be considered as being separate from the assembly platform. The mold dies 10, 30 will always place together for holding at a position parts formed in the same step. This above-noted, claimed feature is made possible by the structure of an assembly holder that is additional to the mold dies, and which is not taught by Nishida et al. For these reasons, Nishida et al does not establish a *prima facie* case of obviousness with respect to Claims 11 and 19-25.

In addition to the above set forth commentary regarding the two groups of claims, namely, Claims 10, 13-14, 17-18 and 26-28, and Claims 11, 16 and 19-25, the following analysis also applies. It is respectfully submitted that Nishida et al shows a production procedure in which three separate parts Y, YL and Yf are separately molded and then put together by molding Y and YL together after having first inserted Yf in between Y and YL.

**What is equal between
the second embodiment and the invention?**

- a. A device for the production of molded parts.
- b. The device has two mold halves being movable between an open and a closed position.
- c. There are ejectors mechanisms for ejecting the molded parts.
- d. A plurality of parts of an assembly are molded separately and afterwards assembled.

**What is different between
the second embodiment and the invention?**

- e. According to the invention there is an assembly platform on which the assembly of the plurality of parts takes place.
 - US 6 372 170: The assembly takes place while some of the parts are still in their molding position.
- f. The assembly platform is movable in between the mold halves.
 - US 6 372 170: There is no assembly platform. If one of the mold halves is taken as assembly platform it cannot be movable relatively to itself.

- g. The ejector is capable of pressing the molded parts directly into an assembly holder of the assembly platform.
 - US 6 372 170: There is no assembly platform. If one of the mold halves is taken as assembly platform there is no ejector capable of pressing the molded part into its cavity.
- h. The molded parts are plugged together in a place other than the molding cavity. The molding process can thus be continued without being hindered by the parts finished before.
 - US 6 372 170: The parts (Y, YL, Yf) are put together within the molding cavities, so the more parts are put together in consecutive steps the more cavities are needed.

There are more differences, but even those few mentioned which are explicitly or implicitly part of Claim 10 (e, f, g, h) and Claim 11 (e, f, h) should make it quite clear that the devices shown in U.S. Patent No. 6 372 170 are not being included in the wording of Claim 10 or Claim 11.

It is respectfully submitted that there exists no motivation for a person skilled in the art to modify the device known from Nishida et al to fabricate Applicant's invention. During the assembly process described in the Nishida et al patent, one part Yf is connected to both of the other two parts Y and YL by being inserted in between them. Afterwards, the part Y and YL are molded together so that the part Yf becomes fixed in its position. This basic principle would not be realizable if all parts were put on a separate assembly platform after having been molded. It is respectfully submitted that a person skilled in the art would thus not modify the device of Nishida et al in a way to create Applicant's invention.

**OBVIOUSNESS BASED ON
NISHIDA et al/BOUCHERIE COMBINATION**

Claim 16 has been rejected under 35 U.S.C. § 103(a) as being obvious over Nishida et al in view of Boucherie (U.S. Pat. No. 6 379 139). This rejection is respectfully traversed based on the following arguments.

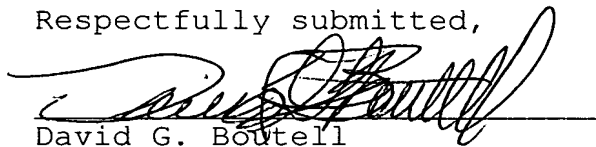
Claim 16 defines over the Nishida et al reference for the same reasons as explained above regarding the patentability of independent Claim 11 from which Claim 16 depends. Additionally, when the Boucherie reference is considered together with Nishida et al, Applicant notes that Boucherie does not cure the above-noted deficiencies of Nishida et al. Specifically, Boucherie does not provide a teaching or suggestion of holding an injection molded part respectively following in an assembly sequence at a position at which an injection molded part of at least one preceding assembly step is already positioned. Boucherie, as distinct from the claimed invention does not teach assembling together any parts. Rather, Boucherie teaches moving parts from one mold die to another mold die for further injection molding. No assembly through plugging-in of parts is taught or suggested by Boucherie. For these reasons, Nishida et al and Boucherie do not establish a *prima facie* case of obviousness with respect to Claim 16.

CLOSING

For the foregoing reasons, Applicant respectfully submits that the application is in condition for immediate allowance with Claims 10, 11, 13-14 and 16-28.

If there remain any issues that may be addressed via a telephone conference, the Examiner is respectfully invited to contact the undersigned at the telephone number provided below.

Respectfully submitted,



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Encl: None

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